

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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WESLEY M. SMITH,

Plaintiff,

v.

LANCE GIVENS, Recreation Department  
Supervisor,

Defendant.

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ORDER

09-cv-604-slc

In an order entered in this case on October 2, 2009, I told plaintiff that before I could consider his request to proceed *in forma pauperis* he would have to submit a supplemental trust fund account statement covering the full six-month period preceding the filing of his complaint so that I could assess an initial partial payment of the \$350 fee for filing this case. Plaintiff has submitted the requested statement. From the statement, I have calculated plaintiff's initial partial payment to be \$10.15. Also, he must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should sent plaintiff's initial partial payment to this court.

ORDER

IT IS ORDERED that plaintiff is assessed \$10.15 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the

clerk of court in the amount of \$10.15 on or before November 9, 2009. If, by November 9, 2009, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 19<sup>th</sup> day of October, 2009.

BY THE COURT:

/s/

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STEPHEN L. CROCKER  
Magistrate Judge